

Duxbury's Town Landings

By the REV. CANON ROBERT MERRY

(The following was taken from a 2-part series published in the Sept. 10 and 17, 1981, issues of the Duxbury Clipper.)

On a hot, hazy day in July at half ebb tide, Mrs. Merry and I piled our 2 grandchildren into our beach wagon with its sticker on the glare shield and headed for what young people in Duxbury call the "Big Beach." We boycotted our own landing at Howland's because of lack of water and headed down Washington St., threading our way through the traffic jam at Mattakeesett Court, the yacht club and Sweetser's Store beyond Snug Harbor. A few swimmers and dare-devil divers slowed us down as we crossed Bluefish River Bridge and rounded Powder Point onto King Caesar Rd. The bay was full of sail and motor boats -- simply a gorgeous sight -- and we stopped at the end of the Powder Point Bridge as 2 police officers were untangling a traffic snarl on the upper-level parking lot at the south end of the bridge. Many cars were coming and going and some turning around at the circle at the far end of the bridge as another police officer and 2 land and natural resource persons checked on car stickers, and we pushed our way, each with a small child in tow to the outer beach.

I surveyed the scene as we sat down and distributed our sand buckets and shovels and plastic toys, and it was a sight not soon to forget. Half a mile down the beach where Gurnet was scarcely visible in the heat haze stood a couple of dozen of the road vehicles, their occupants enjoying the receding surf in front. Nearer there were probably several hundred people, including families with children up and down the beach. Looking toward Blakeman's and Brant Rock, there were similar crowds, plunging into the waves and escaping the 90-degree-plus heat. I turned to Mrs. Merry and said, "Isn't it wonderful to live in a place where so many can get such healthful recreation -- renewal of body and soul -- by such little effort?" She replied, "Indeed, and of course it's the water. Without that we and they just wouldn't be here at all."

Accessibility to "the water," meaning tidal ocean water, was one of the sine qua non requirements of the earliest settlers. In fact, this accessibility was given with deeds to the land that was originally parceled out. Water resource was essential for transportation, for shellfish and other food and fertilizer, on which our ancestors depended for their families' support. But as more and more people arrived on these shores and began settlements farther

bestir yourselves to acquire outlets to the bay, the shore will be closed to the public from Josselyn Ave. to the Kingston line with the exception of the town landing south of Captain's Hill which is out of the route of travel." This refers, of course, to the present Howland's Landing that for those of us who use it, it is no longer considered "out of the route of travel."

This report in 1899 was the first complete report of a town landing committee duly commissioned by Town Meeting. The second was in 1904, the third in 1922 and the last, to which this essay owes much of its information, was done by Robert Ramsay, Robert Cooper and Don Corcoran and is now on file in the Duxbury Room in the Duxbury Free Library and in the Town Clerk's office. I am also deeply indebted to the town historian and to Myrna Walsh, a colleague on the staff of the Clipper, whose patient hours of research have done much to help me give Clipper readers some insight into what one life-long resident of town called "Duxbury's best-kept secret," the where and how of its public landings.

The oldest public landing in Duxbury is probably the Old Cove, which was active in 1715, and flourished well into the mid-1900s or at least until the drawbridge on Powder Point was eliminated. With complete navigability of the bay at high tide, which coastal engineers estimate was 3 feet deeper than it is now, it is easy to see tall ships in full sail bringing their loads of lumber and coal and molasses and rum and hemp up into Duck Hill River and in stormy times seeking shelter from that wide expanse of marsh. This marsh has moved in recent years, right into the river, but several channels remain which are ideal for canoeing and water skiing. A scant 2 houses remain on the shore where there stood 20 bathhouses and a dozen bathhouses when we held water spots there in the '20s.

The most popular public landing is Mattakeesett Court, located near Snug Harbor. Here are provided a concrete launching ramp, a parking area for cars and trailers and on paper and in my days as steward of the yacht club a modest beach for swimming. The landing is really crowded on summer weekends, but it is by far the best boat landing in town.

Bluefish River area boasts both a landing for nature observation (at the point where the curve of St. George St. joins Bluefish River) and a launching space (unpaved) behind No. 1 Fire Engine House. Informal (and I'm afraid illegal) dare-devil diving is often seen at high tide on hot days from the stone bridge and railing.

The most expansive public landing area is the entire Powder Point Bridge complex. Beach areas at the end of the bridge both north and south are designated as public, and parking is provided for 25 or so cars on an upper level on the south side of the

according to local residents, is seldom used. There is an adequate turning area on a gravel hard pan and room for 6 or 8 cars. Concrete posts mark off the area owned by the town.

This, like so many of Duxbury's town landings, is seldom used. One reason may be the muddy bottom beginning at high water level. Another reason, and one that applies also to the rest of the 16 landings in Duxbury, is that these water connections were laid out originally when no one had an automobile, and the parking and policing problems, not to mention neighborhood disruptions, would be insurmountable.

I asked Chief MacNeil of the Duxbury Police if there had been many recent complaints from either users of rights of way to the water or adjacent property owners and he said there had been very few in the past few years, in contrast to years ago when this was a major police summer problem. I wondered aloud if boating and swimming people in Duxbury just felt they had ample recourse to water. Many had pools in their backyards; some had 4-wheel drive wagons that could negotiate the beach; others felt that the landing areas that are active are so well kept up at the times and places where they were needed that people just weren't interested in reopening the landings that had fallen into disuse. "All the people have to do is go to Town Meeting, appropriate the necessary money and take by eminent domain any land they feel is necessary for the welfare of the town, said a public figure of many years in the town. Do we need to go to this extreme? The Standish Shore Improvement Assn has called for a new comprehensive survey of our town needs, in response to the 1975 Town Landing Committee report. The town purchased the Bay Farm in 1972 as a new town recreation area. They have obtained a "first refusal" option on "Blairhaven," the Church Union Camp abutting Howland's Landing. The new bikeways plan is moving forward. Can it be that the inactive town landings can be brought again into use with mutual general satisfaction?

Labor Day has come and gone and all that remain are the happy memories of holiday guests and a feeling of utter and total exhaustion. I tried to picture in my first article on the town's landings a community of people, happy in their recreational life with ample areas for boat launching and sailing and motor-boating and fishing and beaches for uncrowded public bathing. It was all carefully orchestrated for the town's residents and for this we owe a great debt to our town's leaders in the recent past and our heads of town departments now -- especially our police and fire officials and our director of lands and natural resources, who stand guard for us and monitor our

transportation, for shellfish and other food and fertilizer, on which our ancestors depended for their families' support. But as more and more people arrived on these shores and began settlements farther back from the water, rights of water access which involved running over one or 2 or perhaps 3 other properties became a hardship, and several acts of the legislature from 1641-1647 now called the "Colonial Ordinances" laid out the guidelines for such water access for future years. Recent court cases have gone back to these rulings for direction in landing problems today. Most startling to marine law students from out of state is the one that grants to property owners in Massachusetts rights down to the mean low water mark. This law, unique in Massachusetts (and Maine, as well, for it was promulgated when Maine was part of Massachusetts) was brought to the attention of a New York lawyer by the name of Martin Auerbach vacationing on Martha's Vineyard.

The story was told in the Boston Globe: Mr. Auerbach walked as he would have in any other coastal state on the beach below high water mark in front of Jackie Onassis' house and was accosted by a guard on patrol who politely showed a letter from the prestigious law firm of Ropes and Gray not only quoting the law but the legal opinion of the firm that anyone walking on a privately-owned beach above the low water mark was guilty of trespassing. This law and others like it have been brought into question by environmentalists. In fact, there is movement based in Connecticut, now no bigger than a man's hand but increasing in importance, that claims that the ocean waters and their tributaries belong to all the people, and this means access to them. Some of them go so far as to organize "protest picnics" in which they gather groups of friends and motor to some privately-owned beach and hold a picnic there below high water mark and leave word that this belongs to them by right of common law. It is a fact that as a *Boston Globe Magazine* story reported a few years ago (1975), of the roughly 5,000 miles of shore line from Eastport, Maine, to Stamford, Conn., only 500 are for public use for water accessibility.

It should be noted for Duxbury residents that as with the now nationally recognized wetlands law, Duxbury was a pioneer in the establishment of legally deeded publicly owned town landings. Duxbury in 1907 petitioned the state legislature to set aside certain landings long in use for the assured future availability for Duxbury residents. At this early date, warning signals were up, especially in a report of a town landing committee in 1899 which said, "Your committee feel that they would be derelict in their duty if they did not remind you that every year the attractions of this old historic town with its beautiful bay are drawing more and more people to its shores and that in the march of events the shore properties will come into the possession of those seeking rest and recreation and who are in quest of summer homes. When this happens, unless you gentlemen

tire Powder Point Bridge complex. Beach areas at the end of the bridge both north and south are designated as public, and parking is provided for 25 or so cars on an upper level on the south side of the bridge. At the far end of the bridge, the town has reserved a 60-foot right of way right down to the ocean water. The beach itself is owned by the Duxbury Beach Reservation, a non-profit corporation who lease it to the town. Parking area for Duxbury residents who have apud and display a \$10 sticker on their cars is provided in a paved area on each side of the bridge circle. Anyone who wants to drive over the bridge may do so without hindrance, but only residents may park there. Duxbury taxpayers maintain the bridge although most all-year-round users live at Gurnet or on Saquish, which are both in the geographical area of the town of Plymouth. Do I hear of any volunteers who want to ask for bridge support from Plymouth?

Another popular landing for Duxburyites is at the end of Landing Rd. off Bay Rd. This is most popular for swimmers, most of whom live in the Alden Heights area, but I notice an increasing number of power and sailboats moored here. The same could be said on a more modest scale for Harden Hill Landing, located at the end of Harden Hill Rd. at 51 Washington St. Harden Hill provides limited parking on the right side of the road and a pleasant sandy beach and the tide lingers here as it does at Shipyard Lane.

Shipyard Lane is the only bona fide public beach in Duxbury, the gift of the late Eben Ellison to the town for purposes of recreation only. The deed to the property states that no building shall be erected nor shall a wharf of any kind be constructed. There is a fair-sized parking lot and trash barrels help keep the area clean of litter. Boat-launching or landing was not envisioned when this beach was set up, but the increasing number of boats in the area has provided a challenge to the creativity of our genial harbor-master, Don Beers. Don is fearful of the combination of swimming and boating, especially powerboats.

Howland's Lane goes back many years, as Allen's wharf and in my day Walter Smith's fishprocessing factory stood nearby. It is probably the most varied of our town landings. Some fishermen, some lobstermen, a few swimmers whose feet are toughened by the rocky hard pan, and many pleasure boats which take advantage of the all-tidal aspect of the landing. There is a gravel surfacing all the way to deep water (8 feet at dead low tide) and asphalt pavement down to the high water mark to allow even pleasure vehicles to back right down to the chat. el. Next to the mooring area at Mattakesett Court, this is the largest in town, harboring as many as 85 boats last year. Limited parking is available for as many as 20 cars, and trailers are also welcome, with spilling out onto Crescent St. on occasion.

Another excellent landing facility for high water only is located at Hick's Point off Bay Rd., which,

our town's leaders in the recent past and our heads of town departments now -- especially our police and fire officials and our director of lands and natural resources, who stand guard for us and monitor our bay and beach recreational areas.

The direct route from Highway No. 14 to Duxbury Beach through the edge of Marshfield and Green Harbor successfully cares for out-of-town residents who can have easy access to a wide expanse of beach for a modest fee, or, if desired, can walk across Powder Point Bridge for a free swim and picnic. To describe this scene to a possible Rip Van Winkle who has been asleep for the past 50 years would face colossal incredulity. It was not at all this way in his (and my) time.

With the growing general use of the automobile in the early and mid-twenties, Duxbury and other South Shore towns and the Cape were overrun by out-of-town visitors, the word "victimized" comes to mind, although it is probably too strong, but the facts are that these dear fresh-air and cool water-starved folks who had been cooped up all week (remember the work week was 6 days long then) in the hot, smelly, stuffy factories of Brockton, Rockland, Abington and Whitman would burst forth like an uncorked bottle of home brew on Sundays and make their way to the seashore wherever the tide would welcome them. Local people felt powerless as these swarms of hot and tired families came to our shores on a stifling Sunday afternoon. So upsetting was this that neighborhoods brought protests even to the level of Town Meeting as the Standish Shore inhabitants did. The worst of these spots was Long Bridge, as it was called, whose far end was nothing short of a mob scene, with cars foundering in the soft sand turning around and an occasional one making a mad dash to make the hard pan at the outer beach. Two out of 3 would make it amid swirling clouds of soft sand and hot dust, and stalwart bathers would respond to cries for rescue for the one that got mired.

The bridge would be lined its full length with parked cars, an occasional one with towels hung in the rolled up windows so it could function as a temporary bathhouse. I checked my recollections with Ralph Blakeman, who verified all I have written here and added the observation that at least from his vantage point, i.e., the Duxbury Beach Stand he has operated for many years, people don't feel it necessary to hang towels at car windows today. They simply walk out to the beach or behind an umbrella and dress for a swim. Ralph added further information that I had not recalled, namely, that these out-of-towners frequently parked their cars on Powder Point lawns and in driveways, until the road around through the northern section of Duxbury Beach by the Hummock was constructed in the mid-thirties. Whatever we do with our town landings, we will not tolerate a return to this. The problem of assuring protection to shore property owners and to the public

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for access to the water has long been a thorny one. While the earliest settlers were guaranteed water rights as a matter of necessity for water transportation and fishing, the problem of assuring them while at the same time protecting the rights of the property owners became acute in the mid-17th century. It was this problem that the "Colonial Ordinances" of 1641-1647 addressed, and Attorney Donald Connors tells me that recent court decisions on coastal rights have more and more turned to these for current guidelines: Massachusetts (and Maine - for it was then under the jurisdiction of Massachusetts) are the only coastal states that give shore property owners rights to the mean low water mark. At the same time people who have to get to the water for livelihood, i.e., for fishing or shellfishing or "fowling," are allowed full use of this same area. It appears to be an effort to balance off the property owner's rights and those who depend on the tidal area for livelihood.

For many years Duxbury's public landings presented no problems, and in 1822 and 1834 some boundaries were erected. In 1893 a committee was appointed (one of several to study the problem over the years) to look into the matter and report back with many recommendations in 1899. Their final paragraph follows:

"Every year the attractions of this old historic town with its beautiful bay are drawing more and more people to its shores, and that in the march of events the shore properties will come into use for those seeking rest and recreation and who are in quest of summer homes. When this happens unless you gentlemen bestir yourselves to acquire outlets to the bay the shore will be closed to the public from Josselyn Ave. to the Kingston line with the exception of the town landing south of Captain's Hill (now Howland's Landing acquired in 1893) which is out of the route of travel."

The authors of these sentiments could not have foreseen how drastically the coming into general use of the automobile in large numbers would alter the situation, both making it easier to get to designated areas equipped with space for the parking of cars and boat trailers and more difficult (and practically impossible to use because of police surveillance and fire and requirements) to use, for they were established when it was assumed that people would walk to the shore at high tide for swim. It is important to recognize that it is in an honest effort to minimize rowdiness and vandalism so evident at such places as Howland's, and now, since it was acquired by the town by purchase in 1972, the Bay Farm landing. As a meat and milk peddler I can recall the admonition I

The 3 landings at Water St., Winsor, and Josselyn Ave.

Shipyard lane should be listed here although it is technically not a landing at all, but was given, by Eben Ellison for a public bathing beach. In conversation with Don Beers, our harbor master, I discovered that the current worry shared by Brad Martin of our department of lands and natural resources is the present dangerous mix of power boats and bathers at all our landings, and especially here and at Howland's.

The Indian-named streets on Standish Shore were laid out by the town and paved at town expense in 1907 but a superior court on June 27, 1974 ruling states that "public rights on the seashore do not include the right to use otherwise private beaches for bathing purposes," and so are lost as beaches for all practical purposes to the general public, as are most of these walkways which the 1975 committee report recommends opening up again. The walkway through the Myles Standish homesite is open and used regularly by sightseers but swimming is prohibited here.

Mrs. Merry and I have found it a pleasant place to visit with its lovely view of the bay and Plymouth, and we have usually walked down the path to the shoreline past the stone marker for the spot where the Standish's family had their well till the great storm of 1851 wiped it out.

And this brings us to consider the future of our town landings. The 1975 report recommended the reopening of all of them with the posting of signs and the marking of stone boundaries and for the walkways, "No Parking" signs. It should be noted that 2 town meetings, e.g., in 1971 and 1974, appropriated money to do this, but conversations with town officials reveals that police surveillance and fire protection, not to mention vandalism and rowdiness required that the disused landings should remain that way for the present. I believe that with our new bikeways program some of them could be brought back into current use, and should be. A random sampling of young people's preference, however, shows they would rather ride to the Big Beach, where they can find so many of their peers and always swimmable water, rather than slogging through mud for a hundred yards each way as at Standish Shores and Water and Winsor streets.

Two realistic opportunities for expanding water recreational use are at hand. A movement to build a marina at Howland's Landing with the option of purchasing the Blairhaven property began a few years ago and is still alive though dormant. The Bay Farm landing has boundless possibilities for all types of water use, with ample parking space and distance from residential areas, and undoubtedly will become a popular haven for seashore lovers in the days ahead. Perhaps this would furnish a direction for

Town Landings

From Report of the Duxbury Town Landing Study Committee - 1975

1. Town Pier - Mattakesett Court
2. Old Cove - Easterly side of Cove St. (no more than 10 cars)
3. Drew Salt Works Landing - Northerly end of Bay Pond Rd. (foot landings, no parking)
4. Simeon Soule's Landing - Off northerly side of Powder Point Ave. (foot landing, no parking)
5. Clark Petersons Landing - off northerly side of Powder Point Ave. (foot landing, no parking)
6. Powder Point Bridge - both ends of bridge.
7. Anchorage Lane - Southerly side of St. George St. (foot landing)
8. Bluefish River - Easterly side of Washington St. (8 car parking, small boat launch)
9. Winsor St. - Foot landing, parking on left side of street only.
10. Water St. - foot landing only.
11. Josselyn Ave. - foot and bicycle only, no parking.
12. Harden Hill Landing - off Washington St. - parking for 8 cars on right side only.
13. Howlands Landing - Off Crescent St. (parking for 20 cars, boat launching).
14. Landing Road Landing - Off Bay Rd. (parking for 3 cars, foot and bicycle landing)
15. Hicks Point Rd. Landing - parking for 3 cars, foot and bicycle landing.
16. Duxbury Beach

Public Ways to the Water

as differentiated from landing

1. Island Creek Pond
2. Bay Farm
3. Miles Standish Homesite
4. Samoset, Sagamore Elder Brewster, Massasoit Rds.

SHIPYARD LANE - Said premises were conveyed to Town of Duxbury ATM 1944 subject to the restriction that they shall be used only for recreational purposes and be restricted to the use of the residents of Duxbury and their guests; and to the further restriction that no pier shall be erected on said premises.

The Oldtimer Says:

(The following Old- said, "Well, maybe we're both wrong."

recognize that it is in an honest effort to minimize rowdyism and vandalism so evident at such places as Howland's, and now, since it was acquired by the town by purchase in 1972, the Bay Farm landing. As a meat and milk peddler I can recall the admonition I was given that at high tide on a summer's day I could do no business on Josselyn Ave. or on Winsor and Water streets and the Indian-named streets on Standish Shore. Neighbors and friends who lived back of the water were welcome to bathe here if they wished; the ban was usually exercised only against abusers of the privilege who would come at all times, day or night and leave the familiar litter of broken beer bottles and cardboard picnic boxes.

Duxbury pioneered in petitioning the legislature in 1907 to set aside all along the coast certain landings for public water access. This was the result of the work of a committee set up in 1904. Another town committee was activated in 1922 commissioned by Town Meeting to do a major overhaul of our town

landings. In 1935 as most of us old-timers recall, a major appropriation with federal help was made to dredge the channel into Mattakesett Court, and this was also repeated in the 1950s and early '60s. The last and definitive report on our town landings was made in 1974-75, and it is this to which I owe so much of this information.

The report first of all makes a distinction between "Town Landings" and "Public Walkways." Town Landings would be larger water access areas with some parking of cars. Such would be the Old Cove, the "Big Beach" -- at both ends -- Bluefish River bridge behind the old No. One Engine House, Mattakesett Court, Harden Hill (off Washington St.), Howland's, and Landing Rd. (off Bay Rd.). They also include Hicks' Point, just this side of the Bay Farm area, for it has limited parking space and a hard pan for launching boats, but since it is only usable for perhaps an hour before and after high tide I could not consider it as a major landing.

Other avenues of water access listed in the report are as follows (beginning at the Marshfield line):

The end of Duck Hill Rd. -- which is listed in records as far back as 1834 and now cannot be practical except as access to the salt marsh, where my father used to cut hay.

Along Back River and off Powder Point Ave.

Simeon Soule's and Clarke Peterson's (this latter better known as "Dr. Bumpus" landing and used at present by shellfish diggers).

There is no public landing or walkway all the way from Powder Point bridge to the Bluefish River bridge although as I was growing up I recall an informal beach east of Bumpus Park opposite what was then Powder Point School used as a hotel during the summer months.

The juncture of St. George St. and Bluefish River -- an excellent location for nature and bird observation and a superb view of the bridge and bay.

Farm landing has boundless possibilities for all types of water use, with ample parking space and distance from residential areas, and undoubtedly will become a popular haven for seashore lovers in the days ahead. Perhaps this would furnish a direction for some wealthy civic-minded citizen of which we have many in Duxbury.

The report cites 2 more areas that could be expanded -- one the Old Cove, and another what the report refers to as "Ford's Stand." Checking out "Ford's Stand," I discovered that this is no longer Ford's nor a stand, and has become "Bradford's Parking Lot," located on the Hummock side of Duxbury Beach. It is now a bona fide parking lot with chargeable fees, and uses an entrance to the ocean water that town records consider a public landing. I think the present arrangements with this lot and landing are satisfactory and with the Blakeman stand nearby and the entire stretch of beach beyond I can't see the value of any change here.

In conclusion it needs only to be pointed out that these 2 articles are an introduction to the subject rather than a definitive description of our public landings. Further probing would unearth some remarkably interesting stories of the landings and of their coming and going into problem areas over the years. For example Myrna Walsh discovered in the assessors' index of land plots 3 landings on Powder Point that have been completely and totally lost. Perhaps the Registry of Deeds in Plymouth County Court House would clarify the situation. But this is for the moment beyond the scope of this essay.

For in all that I am doing in reporting on "Duxbury's treasures" from the past, I am attempting to rekindle enthusiasm in this community, by making us all aware of the gifts that have been handed to us in the past, and not least of all that of public landings.

The Oldtimer Says:

(The following Oldtimer was written in the early issues of The Duxbury Clipper).

"Oldtimer, when Robert E. Lee was president of the University of Virginia one person asked him what he thought of another, and when he answered, the inquirer said it was strange that he should speak so well about this person, because he said nasty things about the general. Lee then said: 'You asked me what I think of him, not what he thinks of me.' What say you to that, you old oracle."

"Nemmind callin' me them names, snoopscoop. Nothin' strange 'bout this Lee feller. My Pa was the same way. Never give tit for tat, my Pa didn't Allus turned both cheeks. Pa allus said, 'Do unto others as they do unto you, but do it first.'"

"Voltaire, on the other hand, was asked by one person what he thought of another. He said some flattering things about his person. Then the inquirer said it was odd that Voltaire should say such nice things about this chap, because he said awful things about Voltaire. Then Voltaire

said, "Well, maybe we're both wrong."

"What you drivin' to, snoopscoop."

"Well, oldtimer, I read somewhere that people with small minds talk about people. People with big minds talk about events. And people with great minds talk about ideas. The boss sent me over today to ask you what you thought of gossip in general."

"Son, I think of gossip in general just like I think of it in perticular. A little gossip now and thenceforth is like paprika

on a hard boiled egg. Long as a gink don't make no career of gossipin. They is harmless gossip and they is dirty gossip. A gink what gossips harmless all the time has a brain what can easy fit into a walnut shell. The gink what is malvicious is a horse of a different flavor. Me, I never say nothin' 'bout anyone. Not even 'bout that lardheaded, lazy, shiftless, skunk of a codface Sponge. Don't git me started on that jugged critter, son. Reminds me, it's 'bout time he come over to play cribbage."



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